

Message Text

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PAGE 01 STATE 166318
ORIGIN EB-08

INFO OCT-01 EA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 /034 R

DRAFTED BY EB/OA:MHSTYLES:VLV
APPROVED BY EB:JLKATZ
EA/J - CMCDONALD
CAB - JHORNEMAN
EB/AN - RABROWN
L/EB - SKLINGE (INFO)
-----108599 301633Z /43
R 300121Z JUN 78
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO

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E.O. 11652: N/A

TAGS: EAIR, JA

SUBJECT: CIVAIR - NORTHWEST SCHEDULE

REF: STATE 161972; TOKYO 11725

1. AS WE UNDERSTAND SITUATION, MOT HAS TAKEN NO ACTION TO APPROVE OR DISAPPROVE NORTHWEST JUNE 8 SCHEDULE CHANGES. SINCE NWA STILL NOT OPERATING, LEGAL STATUS OF NWA SCHEDULE UNDER JAPANESE LAW IS ACADEMIC, BUT WHEN STRIKE SETTLED THIS COULD BECOME AN IMMEDIATE ISSUE. DEPT BELIEVES THIS QUESTION SHOULD BE CONFRONTED NOW, RATHER THAN AT LAST MINUTE ON CRISIS BASIS.

2. EMBASSY REQUESTED DISCUSS MATTER WITH MOFA ALONG FOLLOWING LINES:
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A. WE NOTE THAT NO ACTION HAS BEEN TAKEN TO APPROVE OR DISAPPROVE NWA SCHEDULE.

B. USG WOULD HAVE TO REGARD EITHER FAILURE TO APPROVE (I.E., INACTION) OR DISAPPROVE AS VIOLATION 1959 AGREED MINUTE. (JAPANESE MAY ATTEMPT ARGUE THAT PROVISION IN

JULY 1977 AGREED MINUTE TO CONSIDER FIFTH FREEDOM/OVERNIGHT
ISSUE AND ALLEGED US FAILURE TO DO SO OVERRIDE 1959 MINUTE

OBLIGATIONS. WE REJECT THIS REASONING BECAUSE PROVISIONS
IN JULY 1977 MINUTE ASSUMED CONCLUSION NEW AGREEMENT BY
END OF 1977. THUS JULY 1977 MINUTE IS, IN OUR VIEW, NO
LONGER PERTINENT OR VALID.)

C. US HAS REFRAINED FROM PURSING THIS MATTER BECAUSE NWA
NOT OPERATING TO JAPAN DURING STRIKE. BUT WE CANNOT CON-
TINUE LEAVE MATTER IN AMBIGUOUS STATUS.

D. US REQUESTS THAT MOT COMPLETE FORMALITY OF ISSUING
APPROVAL. HOWEVER, USG REGARDS THAT, IN ANY EVENT, NW
MAY RESUME OPERATIONS BASED ON JUNE 8 SCHEDULE WHETHER
ABOVE FORMALITY HAS BEEN COMPLETED OR NOT.

3. DEPT APPRECIATES THAT LAST SENTENCE PARA 2(D) ABOVE
LAYS ISSUE ON THE LINE. THIS IS INTENTIONAL SINCE WE
COULD NOT COUNTENANCE JAPANESE ATTEMPT TO PLACE NWA IN
LEGAL JEOPARDY THROUGH MOT FAILURE TO ACT AT ALL ON NWA
APPLICATION. VANCE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AIR SCHEDULES
Control Number: n/a
Copy: SINGLE
Draft Date: 30 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE166318
Document Source: CORE
Document Unique ID: 00
Drafter: MHSTYLES:VLV
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780271-0053
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978062/aaaaabpa.tel
Line Count: 84
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b80cee7f-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 161972, 78 TOKYO 11725
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2207468
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - NORTHWEST SCHEDULE
TAGS: EAIR, JA, NORTHWEST ORIENT AIRLINES
To: TOKYO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/b80cee7f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014